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IN THE UNITED STATES DISTRICT COURT
DISTRICT OF UTAH CENTRAL DIVISION

BRIGHAM YOUNG UNIVERSITY, a
Utah Non-Profit Education Institution;
and Dr. DANIEL L. SIMMONS, an individual,
Plaintiffs,

vs.

PFIZER, INC., a Delaware Corporation, G.D.
SEARLE & COMPANY, a Delaware
corporation, G.D. SEARLE LLC, a Delaware
Limited Liability Company, MONSANTO
COMPANY, a Delaware Corporation; and
PHARMACIA CORPORATION, a Delaware
Corporation,

Defendants.

Case Number: 2:06CV00890DAK

**MOTION TO COMPEL AMENDED
INTERROGATORY RESPONSES AND
TO DEEM ADMITTED BYU'S REQUEST
FOR ADMISSION**

(Assigned to the Honorable Dale A. Kimball)

Magistrate Judge Brooke C. Wells

Pursuant to Rule 37(a), *Fed. R. Civ. P.*, Plaintiffs Brigham Young University and Dr. Daniel Simmons (collectively, “BYU”) move to compel Defendants Pfizer, Inc., *et al.* (collectively, “Pfizer”) to serve a supplemental response to BYU’s Second Set of Interrogatories and for the Court to deem admitted BYU’s Request for Admission. In the alternative, if the Court does not deem admitted BYU’s Request for Admission, BYU moves for an Order compelling Pfizer to admit or deny the request. BYU has conferred with Pfizer in good faith to resolve this dispute, but those efforts proved unsuccessful. This Motion is supported by the contemporaneously filed (1) Memorandum in Support of Motion to Compel Amended Interrogatory Responses and to Deem Admitted BYU’s Request For Admission and (2) Exhibits Supporting Motion to Compel Amended Interrogatory Responses And To Deem Admitted BYU’s Request For Admission.

DATED this 18th day of April 2008.

BEUS GILBERT PLLC

By /s/ Keith C. Ricker
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 BRIGHAM YOUNG UNIVERSITY

CERTIFICATE OF SERVICE

I, hereby certify that on the 18th day of April, 2008, I electronically filed the foregoing Motion to Compel Amended Interrogatory Responses And To Deem Admitted BYU's Request For Admission with the Clerk of the United States District, District of Utah Central Division, using the CM/ECF system which sent notification of such filing to the following:

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And the following non-CM/ECF participant was served by U.S. mail, postage prepaid, to the following:

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/s/ Keith C. Ricker